



FEDERAL ELECTION COMMISSION  
Washington DC 20463

11092652995

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2152

DATE SCANNED 4/24/11

SCANNER NO. 2

SCAN OPERATOR ESS



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 9, 2010

MEMORANDUM

TO: THE COMMISSION

THROUGH: ALEC PALMER  
ACTING STAFF DIRECTOR

FROM: PATRICIA CARMONA *DC for PC*  
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: *nm* NATALIYA IOFFE/RHIANNON MAGRUDER *pm*  
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION -  
FAILURE TO FILE 48-HOUR NOTICES UNDER THE  
ADMINISTRATIVE FINE PROGRAM

Attached is the name of a principal campaign committee that has failed to file 48-hour notices with the Commission for contributions of \$1,000.00 or more received from the close of books for the Illinois 12 Day Pre-Primary Report up to 48 hours before the February 2, 2010 Primary Election in accordance with 2 U.S.C. § 434(a)(6) and 11 CFR. § 104.5(f). The committee, Friends of Elliot Richardson, represents a candidate who lost the Primary Election. The committee is being referred for failing to file 48-hour notices for contributions totaling \$57,000.00.

A 48-hour notice is required to report all contributions of a \$1,000.00 or more, to any authorized committee of a candidate, including contributions from the candidate, loans from the candidate and other non-bank sources and endorsements or guarantees of loans from banks, as per 11 CFR § 104.5(f).

We have attached an information sheet which includes the contributor name, date of receipt and amount of the contributions for which a 48-hour notice was not filed.

In accordance with the schedule of civil money penalties outlined within 11 CFR § 111.44, this committee should be assessed the civil money penalty so indicated.

**Recommendation**

1. Find reason to believe that Friends of Elliot Richardson and Francee Nachbar, Treasurer, violated 2 U.S.C. § 434(a)(6) and make a preliminary determination that a civil money penalty of \$6,030.00 be assessed.
2. Send the appropriate letter.

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**Contributions for Which a 48-Hour Notice Was Not Received**

**AF 2152**

**Committee ID: C00458083**

**Committee Name: Friends of Elliot Richardson**

**Report Type: April Quarterly Report (1/14/10 – 3/31/10)**

**48-Hour Reporting Period: 1/14/10 – 1/30/10**

CONTRIBUTOR	DATE	AMOUNT
Elliot Richardson	1/15/2010	\$ 10,000.00
Elliot Richardson	1/21/2010	\$ 25,000.00
Elliot Richardson	1/27/2010	\$ 22,000.00
	TOTAL	\$ 57,000.00

**Proposed Civil Money Penalty: \$6,030.00 ((3 Notices Not Filed at \$110 each) + (10% of Overall Contributions for Which Notices Were Not Filed))**

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Federal Election Commission  
Reason to Believe Circulation Report  
48-Hour Notification Report

8/9/2010 8:32 AM

AF#	Committee ID	Committee Name	State	Election	Candidate Name	Treasurer	Prev. Violations	Notices Not Filed	LOA	Penalty
2152	C00458083	FRIENDS OF ELLIOT RICHARDSON	IL	PRIMARY	RICHARDSON, ELLIOT	FRANCEE NACHBAR	0	3	\$57,000	\$6,030

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Reason To Believe Recommendation – ) AF 2152  
Failure to File 48-Hour Notices Under )  
the Administrative Fine Program )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on August 10, 2010, the Commission decided by a vote of 6-0 to take the following actions in AF 2152:

1. Find reason to believe that Friends of Elliot Richardson and Francee Nachbar, Treasurer, violated 2 U.S.C. § 434(a)(6) and make a preliminary determination that a civil money penalty of \$6,030.00 be assessed.
2. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

August 11, 2010  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 17, 2010

Francee Nachbar, in official capacity as Treasurer  
Friends of Elliot Richardson  
39 St. Charles Place  
Highland Park, IL 60035

C00458983  
AF#: 2152

Dear Ms. Nachbar:

The Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, *et seq.* ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate or the Federal Election Commission ("FEC"), and the Secretary of State, as appropriate, of any contribution of \$1,000 or more, received by any authorized committee of the candidate after the 20th day, but more than 48 hours before, any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. *Id.* These notification requirements are in addition to all other reporting requirements. 2 U.S.C. § 434(a). Our records indicate that Friends of Elliot Richardson did not submit 48-Hour Notices for contributions of \$1,000 or more, received between January 14, 2010 and January 30, 2010, totaling \$57,000, as required by 2 U.S.C. § 434(a)(6)(A). Attachment 1.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On August 10, 2010, the FEC found that there is Reason to Believe ("RTB") that Friends of Elliot Richardson and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file the 48-Hour Notices. Based on the FEC's schedule of civil money penalties at 11 C.F.R. § 111.44, the amount of your civil money penalty calculated at the RTB stage is \$6,030. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 2. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. The amount of the civil money penalty is \$110 for each non-filed notice plus 10 percent of the dollar amount of the contributions not timely reported. The civil money penalty increases by 25 percent for each prior violation. Send your payment of \$6,030 within forty (40) days of the finding, or by September 19, 2010.

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At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or September 19, 2010. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

**2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Friends of Elliot Richardson and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

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Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.45.

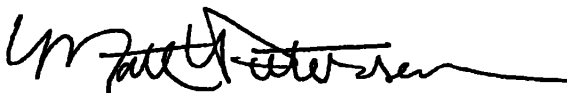
**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ian Wandner in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen  
Chairman

11092653003

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.44, the amount of your civil money penalty calculated at RTB is \$6,030 for the 2010 Primary Election 48-Hour Notification Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by September 19, 2010. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Friends of Elliot Richardson

FEC ID#: C00458083

AF#: 2152

PAYMENT DUE DATE: September 19, 2010

PAYMENT AMOUNT DUE: \$6,030

11092653004

**Contributions for Which a 48-Hour Notice Was Not Received**

**AF 2152**

**Committee ID: C00458083**

**Committee Name: Friends of Elliot Richardson**

**Report Type: April Quarterly Report (1/14/10 – 3/31/10)**

**48-Hour Reporting Period: 1/14/10 – 1/30/10**

CONTRIBUTOR	DATE	AMOUNT
Elliot Richardson	1/15/2010	\$ 10,000.00
Elliot Richardson	1/21/2010	\$ 25,000.00
Elliot Richardson	1/27/2010	\$ 22,000.00
	TOTAL	\$ 57,000.00

**Proposed Civil Money Penalty: \$6,030.00 ((3 Notices Not Filed at \$110 each) + (10% of Overall Contributions for Which Notices Were Not Filed))**

11092653005

September 13, 2010

**BY FEDERAL EXPRESS**  
Federal Election Commission  
Office of Administrative Review  
999 E Street, N.W.  
Washington, D.C. 20463

Re: Friends of Elliot Richardson  
C00458083  
AF#: 2152  
Authorization of Counsel

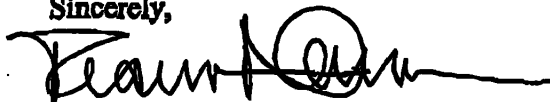
To the Office of Administrative Review:

In accordance with the procedures stated by Chairman Petersen in his letter to me dated August 17, 2010, and as provided in 11 C.F.R. §111.23(a), I hereby designate the following counsel to represent me and Friends of Elliot Richardson, in all matters pertaining to AF#: 2152, and to receive any and all notifications and other communications from the Commission on behalf of respondent:

Michael C. Dorf  
Adducci, Dorf, Lehner,  
Mitchell & Blankenship, P.C.  
150 North Michigan Avenue, Suite 2130  
Chicago, Illinois 60601  
(312) 781-2800  
Email: mdorf@adlmb.com

Thank you for your assistance in this matter.

Sincerely,



Francee Nachbar  
Friends of Elliot Richardson

11092653006

**FEC OFFICE OF  
ADMIN REVIEW**

**ADDUCCI, DORF, LEHNER, MITCHELL & BLANKENSHIP, P.C.**

ATTORNEYS AT LAW

SUITE 2130

150 NORTH MICHIGAN AVENUE  
CHICAGO, ILLINOIS 60601-7524

Michael C. Dorf  
Direct Dial (312) 781-2806  
E-Mail [mdorf@adlmb.com](mailto:mdorf@adlmb.com)

TELEPHONE (312) 781-2800  
FACSIMILE (312) 781-2811

September 17, 2010

**BY FEDERAL EXPRESS**

Federal Election Commission  
Office of Administrative Review  
999 E Street, N.W.  
Washington, D.C. 20463

Re: Friends of Elliot Richardson  
C00458083  
AF#: 2152

To the Office of Administrative Review:

On behalf of Friends of Elliot Richardson (the "Committee") and Treasurer Francie Nachbar, I am writing in response to the letter dated August 17, 2010 from Chairman Petersen to Ms. Nachbar concerning the above referenced matter. I have included Ms. Nachbar's authorization for me to respond.

The Committee does not dispute that three Forty-Eight Hour Notices, representing contributions from the Candidate, Elliot Richardson, to the Committee, were not filed on a timely basis. Nor does the Committee dispute the Commission's calculation of the proposed civil penalty.

The Committee notes, however, that, as shown in its most recent FEC Form 3, filed June 30, 2010, the Committee has no cash on hand and has \$183,660.09 in Debts and Obligations owed. It is the intention of the Committee to file a termination report as soon as final settlement of its Debts and Obligations can be made.

The Committee further notes that the authority granted the Commission to impose civil penalties pursuant to 2 U.S.C. § 437g is permissive and is not mandatory. Accordingly, the Committee respectfully requests that the Commission, in the exercise of its discretion, reduce or waive the proposed civil penalty on grounds of hardship. In the alternative, the Committee requests that the Commission permit an appropriate payment schedule, payable over a reasonable period of time, to be implemented.

11092653007

Federal Election Commission  
Office of Administrative Review  
September 17, 2010  
Page 2

Thank you for your consideration of the Committee's and Ms. Nachbar's request.

Sincerely,



Michael C. Dorf

Enclosure

11092653008



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 21, 2010

Michael C. Dorf  
Adducci, Dorf, Lehner, Mitchell & Blankenship, P.C.  
150 North Michigan Avenue, Suite 2130  
Chicago, IL 60601-7524

C00458083  
AF# 2152

Dear Mr. Dorf:

On September 17, 2010, the Commission received your written response ("challenge") for Friends of Elliot Richardson and Francee Nachbar, in her official capacity as Treasurer, which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

*Abbie Chacona*

for: Dayna C. Brown  
Reviewing Officer  
Office of Administrative Review

11092653009

FEC OFFICE OF  
ADMIN REVIEW

2010 SEP 24 A 11:40

Date: September 21, 2010

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW  
CHALLENGE RECEIVED**

AF#: 2152

Committee Name: Friends of Elliot Richardson

Committee ID#: C00458083

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

**Attachments:**

Copy of RTB Circulation Report, dated August 9, 2010 and RTB Certification,  
dated August 11, 2010 (Y/N): Y

Attachment #: 1

Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y

Attachment #: 2

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2010 12 Day Pre-Primary Report Prior Notice, dated December 28, 2009.

-RTB Letter, dated August 17, 2010.

Attachment #: 4

Copy of Correspondence Received by RAD in Response to RFAI, dated July 14,  
2010: (Y/N): Y

Attachment#: 5

11092653010



**Proof of Delivery**

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

**Tracking Number:** 1ZWF5860A290144203  
**Reference Number(s):** RAD, 2937Q13L879  
**Service:** NEXT DAY AIR  
**Special Instructions:** ADULT SIGNATURE REQUIRED  
**Weight:** .50 Lb  
**Shipped/Billed On:** 08/17/2010  
**Delivered On:** 08/18/2010 8:58 A.M.  
**Delivered To:** HIGHLAND PARK, IL, US  
**Signed By:** NACHBAR

**Location:** RESIDENTIAL

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 09/20/2010 2:07 P.M. ET

11092653011

Attachment 2

## DECLARATION OF NATALIYA IOFFE

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following:
  - A) On December 28, 2009, Prior Notice referencing the 12 Day Pre-Primary Report for Illinois was sent to committees of candidates running for the Illinois Primary Election registered with the FEC. The Prior Notice was also available on the FEC web site beginning on that date. Since Friends of Elliot Richardson did not register with the FEC until December, 29, 2009, they did not receive an electronic copy of the Prior Notice via email on December 28 2009.
  - B) Reason-to-Believe Letter, sent by the Commission to Friends of Elliot Richardson, dated August 17, 2010, referencing the 48-Hour Notices.
3. I hereby certify that I have searched the Commission's public records and find that Friends of Elliot Richardson has not filed the 48-Hour Notices with the Commission.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 21<sup>th</sup> day of September, 2010.



Nataliya Ioffe  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

11092653012



# PRIMARY ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

ILLINOIS

December 28, 2009

## POLITICAL COMMITTEES INVOLVED IN THE PRIMARY (02/02/10):

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Pre-Primary	01/01/10 - 01/13/10	01/18/10 <sup>2</sup>	01/21/10 <sup>3</sup>
48-Hour Notices	01/14/10 - 01/30/10	-- IL primary candidates only -- see filing info --	
April Quarterly	01/14/10 - 03/31/10	04/15/10	04/15/10

## WHO MUST FILE

The following committees must file the Illinois Pre-Primary Report:

- **Principal campaign committees** of congressional candidates (including unopposed candidates and candidates whose names do not appear on the ballot) who seek election in the primary election must file the above reports and notices.
- **PACs and party committees** filing on a quarterly basis in 2010 are subject to pre-election reporting if they make previously undisclosed contributions or expenditures (including independent expenditures) in connection with an election by the close of books of the applicable report(s).

Supplemental Filing Information is available:

- **Congressional Committees**
- **Parties and PACs**

**Additional information for Illinois Campaign Committees -- click here**

<sup>1</sup> These dates indicate the beginning and end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>2</sup> Notice that the registered/certified & overnight mailing deadline falls on a weekend or federal holiday. The report should be postmarked before that date.

<sup>3</sup> As an alternative, committees may file a consolidated Year-End/IL Pre-Primary Report covering 10/01/09 - 01/13/10 by January 21, 2010.

**Note for PACs & Parties:** Since disclosing financial activity from two different calendar years on one report would conflict with the calendar year aggregation requirements for unauthorized committees, PACs and parties filing the consolidated report are to do so on separate forms--the form disclosing 2009 activity labeled as the "Year-End Report;" the other, covering only 2010 activity, as the "Pre-Primary Report."

## 2010 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

**PLEASE NOTE:** The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

### WHO MUST FILE

Principal campaign committees of congressional candidates <sup>1</sup> (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2010. <sup>2</sup>

Campaigns that raise or spend more than \$5,000 for the 2010 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2010, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

### METHODS OF FILING REPORTS

#### Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 82-84 [PDF]

#### Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail.  
See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 81 [PDF]

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<sup>1</sup> Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

<sup>2</sup> If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z [PDF].

## PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2010 state primary, nominating convention or runoff election – even if unopposed – must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports.

See 11 CFR 104.5(a)(2).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates
- *The Record*: January 2010 issue – coming soon
- Candidate Guide, pp. 79-80 [PDF]

## COMPLIANCE

### Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.

See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, p. 7 [PDF]

### Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).<sup>3</sup>

See 11 CFR 111.30.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 81-82 [PDF]

## IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.<sup>4</sup> This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

## 2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- *The Record*: January 2010 issue – coming soon
- Candidate Guide, p. 79 [PDF]

<sup>3</sup> Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

<sup>4</sup> Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

## DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of the lobbyist bundling disclosure threshold during the applicable reporting period (see page 1 of this notice). See 11 CFR 104.22.

**NOTE:** The lobbyist bundling disclosure threshold for calendar year 2009 was \$16,000. This threshold amount may increase in 2010 based upon the annual cost of living adjustment (COLA). As soon as the adjusted threshold amount is available, the Commission will publish it in the Federal Register and post it on its website. See 11 CFR 110.17(e).

- The Record: March 2009 issue [PDF]
- Federal Register: Notice 2009-03 (February 17, 2009) [PDF]

## SUPPLEMENTAL FILING INFORMATION ILLINOIS CAMPAIGN COMMITTEES ONLY

### 48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period of January 13 through January 30, 2010.

The notices must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). **Campaign committees that file electronically MUST submit their 48-hour notices electronically.** See 11 CFR 104.5(f).

- Web Page: Link to Paper Forms (for downloading and printing)
- Form 6 Fax numbers
  - Senate campaigns (Secretary of the Senate): (202) 224-1851
  - House Campaigns (FEC): (202) 219-0174
- Campaign Guide: Candidate, p. 80 [PDF].

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**FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100**

## 2010 SUPPLEMENTAL FILING INFORMATION PACs AND PARTY COMMITTEES

**PLEASE NOTE:** The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

### WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file either quarterly or monthly reports in 2010. See 11 CFR 104.5(c). Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

### METHODS OF FILING REPORTS

#### Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide: Nonconnected Committees (Nonconnected), pp. 51-53 [PDF]; Corporations and Labor Organizations (SSF), pp. 49-51 [PDF]; Political Party Committees (Party), pp. 69-71 [PDF].

#### Paper Filing -- Meeting the Filing Deadline

Paper report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Campaign Guide: Nonconnected, pp. 47-48 [PDF]; SSF, pp. 46-48 [PDF]; Party, p. 65 [PDF].

### PRE-ELECTION REPORTING

Quarterly filing committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates Page
- The *Record*: January 2010 issue -- coming soon
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

### 2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The *Record*: January 2010 issue -- coming soon
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

## COMPLIANCE

### Treasurer Responsibility

Committee treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.

See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceeding [PDF]
- Campaign Guide: Nonconnected, pp. 3-4 [PDF]; SSF, pp. 1-2 [PDF]; Party, pp. 6-7 [PDF].

### Administrative Fine Program

Failure to file reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- or non-filers). See 11 CFR 111.30.

- Web Page: Administrative Fine Program Page
- Campaign Guide: Nonconnected, pp. 48-49 [PDF]; SSF, p. 46 [PDF]; Party, p. 66 [PDF]

## DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Party committees and Leadership PACs must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of the lobbyist bundling disclosure threshold during the covered period (see page 1 of this notice). See 11 CFR 104.22.

NOTE: The lobbyist bundling disclosure threshold for calendar year 2009 was \$16,000. This threshold amount may increase in 2010 based upon the annual cost of living adjustment (COLA). As soon as the adjusted threshold amount is available, the Commission will publish it in the Federal Register and post it on its website. See 11 CFR 110.17(e).

- The Record: March 2009 issue [PDF]
- Federal Register: Notice 2009-03 (February 17, 2009) [PDF]
- Campaign Guide: Party, pp. 143-149 [PDF]

## CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing and may change their filing frequency no more than once per calendar year. See 11 CFR 104.5(c).

- Web Page: Filing Frequency by Type of Committee
- Campaign Guide: Nonconnected, p. 51 [PDF]; SSF, p. 49 [PDF]; Party, p. 67 [PDF].

## 48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in 2010 may have to disclose this activity within 48- or 24-hours based upon the date and amount of the expenditure.

See 11 CFR 104.4.

- Web Page: 48- and 24-hour reporting periods for independent expenditures for 2010 elections
- Campaign Guide: Nonconnected, pp. 72-74 [PDF]; SSF, pp. 65-67 [PDF]; Party, pp. 87-89 [PDF].

These reports are not required when a PAC or Party Committee makes a contribution directly to a candidate.

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FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

200 NOV 19 A 10:20

November 19, 2010

**MEMORANDUM**

**CONFIDENTIAL**

To: The Commission

Through: Alec Palmer *AP*  
Acting Staff Director

From: Patricia Carmona *PC*  
Chief Compliance Officer

Dayna C. Brown *DCB*  
Reviewing Officer  
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2152 – Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer (C00458083)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

11092653019



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 19, 2010

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2152 – Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as  
Treasurer (C00458083)

**Summary of Recommendation**

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$6,030 civil money penalty.

**Reason-to-Believe Background**

On August 10, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file 48-Hour Notices for three (3) candidate loans totaling \$57,000 for the 2010 Illinois Primary Election and made a preliminary determination that the civil money penalty was \$6,030 based on the schedule of penalties at 11 C.F.R. § 111.44. The Reports Analysis Division ("RAD") notified the respondents of the Commission's RTB finding and civil money penalty on August 17, 2010.

**Legal Requirements**

The Federal Election Campaign Act ("Act") requires that the principal campaign committee of a candidate must notify the Commission, in writing, of any contribution of \$1,000 or more received after the 20<sup>th</sup> day but more than 48 hours before an election. The principal campaign committee must notify the Commission within 48 hours of receipt of the contribution. The 48-hour notification shall be in addition to all other reporting requirements under the Act. 2 U.S.C. § 434(a)(6)(A) and 11 C.F.R. § 104.5(f). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d). The respondents' written response must detail the factual basis supporting its challenge and include supporting documentation. 11 C.F.R. § 111.35(e).

**Respondents' Challenge and Analysis**

On September 20, 2010, the Commission received the written response ("challenge") from counsel on behalf of the Committee and former Treasurer<sup>1</sup>. Counsel, does not dispute the RTB finding or fine and requests that the Commission exercise its discretion to reduce or waive the proposed civil money penalty on grounds of hardship, given the respondents' \$0 cash balance and \$183,660.09 debt as of June 30, 2010. Should the Commission not waive the

<sup>1</sup> By letter dated August 25, 2010, Francee Nachbar, Treasurer at the time of RTB, resigned. The current Treasurer of record, disclosed on the Committee's October 15, 2010 Statement of Organization, is Sherri N. Richardson.

11092653020

penalty, Counsel requests a payment schedule, allowing the respondents to remit payment over a period of time.

Counsel concedes that the respondents did not file three (3) required 48-Hour Notices associated with the Illinois Primary Election, and offers no explanation for their failing to do so. Although he requests that the penalty be reduced or waived, the regulations provide a formula by which to calculate the civil money penalty for *each* 48-Hour Notice not filed timely:  $\$110 + (.10 \times \text{amount of contributions not reported}) = \text{civil money penalty}$ . 11 C.F.R. § 111.44(a)(1). In this case \$6,030, or:

1.  $\$110 + (.10 \times \$10,000) = \$1,110$ ; plus
2.  $\$110 + (.10 \times \$25,000) = \$2,610$ ; plus
3.  $\$110 + (.10 \times \$22,000) = \$2,310$

Additionally, the respondents request a payment plan, should the penalty not be waived or reduced; however, 11 C.F.R. § 111.39(a) states that respondents must remit payment of the civil money penalty within 30 days of receipt of the Commission's final determination, in the event that they choose not petition the court following the Commission's final determination.

The challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. The primary issue raised in the challenge (the respondents' lack of funds and amount of debt) also does not fall within the list of grounds enumerated at 11 C.F.R. § 111.35(b). The Reviewing Officer, therefore, recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$6,030.

#### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 2152 involving Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer, in making the final determination;
- (2) Make a final determination that Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$6,030; and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

#### **Attachments**

Attachment 1 – Challenge Received from Respondents' Counsel  
Attachment 2 – Declaration from RAD  
Attachment 3 – Declaration from OAR

11092653021

**DECLARATION OF DAYNA C. BROWN**

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The principal campaign committee of a congressional candidate must file notifications disclosing contributions of \$1,000 or more which are received between January 14 and January 30, 2010. These notifications (also called 48-Hour Notices) must be filed with the Federal Election Commission within 48 hours of the committee's receipt of the contribution(s).
3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - a) Page 1 of the Summary Page, 1 page of Schedule A, and 3 pages of Schedule C for the 2010 April Quarterly Report filed by Friends of Elliot Richardson and Francee Nachbar, in her official capacity as Treasurer. According to the Commission's records, the report covers the period from January 14 through March 31, 2010, and was received on April 11, 2010. Schedule A lists the receipt of 3 loans totaling \$57,000 on January 15, 21, and 27, 2010. Each loan equals \$1,000 or more; and
  - b) A letter of resignation from Francee Nachbar. The letter, dated August 25, 2010, discloses her resignation as Treasurer, as of June 15, 2010. According to the Commission's records, the letter was received on August 31, 2010; and
  - c) Pages 1 and 3 of the Statement of Organization filed by Friends of Elliot Richardson and the Candidate, Elliot Richardson. According to the Commission's records, the statement was received on October 15, 2010. Page 3 of the statement discloses Sherri N. Richardson as Treasurer.
4. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 19<sup>th</sup> of November, 2010.



Dayna C. Brown  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

11092653022

**FEC  
FORM 3****REPORT OF RECEIPTS  
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Friends of Elliot Richardson

ADDRESS (number and street)

790 W Frontage Road

Check if different  
than previously  
reported. (ACC)

Suite 711

Northfield

IL

60093

1204

2. FEC IDENTIFICATION NUMBER

C00458083

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS REPORT ☒ NEW (N) OR ☐ AMENDED (A)

IL

10

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

☒ April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the  
State of

5. Covering Period 01 14 2010 through 03 31 2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Francee NachbarSignature of Treasurer Electronically Filed by Francee Nachbar

Date 04 11 2010

NOTE : Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office  
Use  
Only**FEC FORM 3**  
(Revised 02/2003)

**SCHEDULE A (FEC Form 3 )  
ITEMIZED RECEIPTS**Use separate schedule(s)  
for each category of the  
Detailed Summary PageFOR LINE NUMBER: **PAGE 6 / 93**

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input checked="" type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14 <input type="checkbox"/> 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Friends of Elliot Richardson

<b>A.</b>	Full Name (Last, First, Middle Initial) Elliot Richardson		Date of Receipt M M / D D / Y Y Y Y 01 / 15 / 2010		
	Mailing Address 39 St Charles Place		Transaction ID: A-L13		
	City Highland Park	State IL	Zip Code 60035-5105	Amount of Each Receipt this Period 10000.00	
	FEC ID number of contributing federal political committee. C				
	Name of Employer Horwitz, Richardson & Baker, LLC		Occupation Attorney		
Receipt For: 2010 X Primary General Other (specify) ▼		Election Cycle-to-Date ▼ 202200.00			
<b>B.</b>	Full Name (Last, First, Middle Initial) Elliot Richardson		Date of Receipt M M / D D / Y Y Y Y 01 / 21 / 2010		
	Mailing Address 39 St Charles Place		Transaction ID: A-L14		
	City Highland Park	State IL	Zip Code 60035-5105	Amount of Each Receipt this Period 25000.00	
	FEC ID number of contributing federal political committee. C				
	Name of Employer Horwitz, Richardson & Baker, LLC		Occupation Attorney		
Receipt For: 2010 X Primary General Other (specify) ▼		Election Cycle-to-Date ▼ 202200.00			
<b>C.</b>	Full Name (Last, First, Middle Initial) Elliot Richardson		Date of Receipt M M / D D / Y Y Y Y 01 / 27 / 2010		
	Mailing Address 39 St Charles Place		Transaction ID: A-L15		
	City Highland Park	State IL	Zip Code 60035-5105	Amount of Each Receipt this Period 22000.00	
	FEC ID number of contributing federal political committee. C				
	Name of Employer Horwitz, Richardson & Baker, LLC		Occupation Attorney		
Receipt For: 2010 X Primary General Other (specify) ▼		Election Cycle-to-Date ▼ 202200.00			
SUBTOTAL of Receipts This Page (optional) .....		57000.00			
TOTAL This Period (last page this line number only) .....					

11092653024

**SCHEDULE C (FEC Form 3)****LOANS**Use separate schedule(s)  
for each category of the  
Detailed Summary Page

PAGE 88 / 93

FOR LINE NUMBER:  
(check only one)☒ 13a  
☐ 13b

NAME OF COMMITTEE (In Full)

Friends of Elliot Richardson

Transaction ID: SC/10-L13

LOAN SOURCE - Full Name (Last, First, Middle Initial)  
Elliot Richardson - [PERSONAL FUNDS]

Election:

☒ Primary  
☐ General  
☐ Other (specify) ▼

P2010

Mailing Address 39 St Charles Place

City Highland Park

State IL

ZIP Code 60035-5105

Original Amount of Loan

10000.00

Cumulative Payment To Date

0.00

Balance Outstanding at Close of This Period

10000.00

**TERMS**Date Incurred  
M M D D Y Y Y Y  
01 15 2010 None

Date Due

Interest Rate

2.50

% (apr)

Secured:

☐ Yes☒ No**List All Endorsers or Guarantors (if any) to Loan Source**

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:**SUBTOTALS** This Period This Page (optional) .....

10000.00

**TOTALS** This Period (last page in this line only) .....

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

11092653025

**SCHEDULE C (FEC Form 3)****LOANS**Use separate schedule(s)  
for each category of the  
Detailed Summary Page

PAGE 89 / 93

FOR LINE NUMBER:  
(check only one)☒ 13a  
☐ 13b

NAME OF COMMITTEE (In Full)

Friends of Elliot Richardson

Transaction ID: SC/10-L14

LOAN SOURCE Full Name (Last, First, Middle Initial)  
Elliot Richardson - [PERSONAL FUNDS]

Election:

☒ Primary☐ General☐ Other (specify) ▼

P2010

Mailing Address 39 St Charles Place

City Highland Park

State IL

ZIP Code

60035-5105

Original Amount of Loan

25000.00

Cumulative Payment To Date

0.00

Balance Outstanding at Close of This Period

25000.00

**TERMS**

Date Incurred

Date Due

Interest Rate

Secured:

M M  
01D D  
21Y Y  
2010Y Y  
None

2.50

% (apr)

☐ Yes☒ No

List All Endorsers or Guarantors (if any) to Loan Source

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount  
Guaranteed  
Outstanding:

SUBTOTALS This Period This Page (optional) ▶

25000.00

TOTALS This Period (last page in this line only) ▶

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.



**SCHEDULE C (FEC Form 3)****LOANS**Use separate schedule(s)  
for each category of the  
Detailed Summary Page

PAGE 90 / 93

FOR LINE NUMBER:  
(check only one)☒ 13a  
☐ 13b

NAME OF COMMITTEE (In Full)

Friends of Elliot Richardson

Transaction ID: SC/10-L15

LOAN SOURCE Full Name (Last, First, Middle Initial)  
Elliot Richardson - [PERSONAL FUNDS]

Election:

☒ Primary☐ General☐ Other (specify) ▼

P2010

Mailing Address 39 St Charles Place

City Highland Park

State IL

ZIP Code 60035-5105

Original Amount of Loan

22000.00

Cumulative Payment To Date

0.00

Balance Outstanding at Close of This Period

22000.00

**TERMS**Date Incurred  
M M D D Y Y  
01 27 2010

Date Due

None

Interest Rate

2.50 % (apr)

Secured:

☐ Yes ☒ No

List All Endorsers or Guarantors (if any) to Loan Source

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

Full Name (Last, First, Middle Initial)

Name of Employer

Mailing Address

Occupation

City

State

ZIP Code

Amount

Guaranteed

Outstanding:

SUBTOTALS This Period This Page (optional) ▶

22000.00

TOTALS This Period (last page in this line only) ▶

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

11092653027

RECEIVED  
FEC MAIL CENTER

2010 AUG 31 AM 8:12

**FRIENDS OF ELLIOT RICHARDSON**

39 St. Charles Place  
Highland Park, IL 60035  
847-433-1588

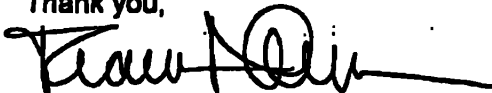
August 25, 2010

To Whom It May Concern:

I am sending in my resignation as of June 15<sup>th</sup>, 2010 as Treasurer for Friends of Elliot Richardson, Committee #C00458083. A change of organization was suppose to be sent in 10 days later after my resignation by the new treasurer but I was just informed by someone in the FEC that it was never received. Since I resigned I do not have my password to file an electronic form-99 and therefore have to send this letter instead.

If you have any questions, I can be reached at #773-561-8665. Any issues going forward you can speak with the new treasurer which was on the last electronic filing.

Thank you,



Francee Nachbar

1003041434892653028

**FEC  
FORM 1****STATEMENT OF  
ORGANIZATION**

(See instructions)

Office use only

1. NAME OF  
COMMITTEE (in full)(Check if name  
is changed)Example: If typing, type  
over the lines

12FE4M5

Friends of Elliot Richardson

ADDRESS (number and street)

39 St Charles Place

(Check if address  
is changed)

Highland Park

IL

60035

CITY ▲

STATE ▲

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)

(Check if address  
is changed)

srichardson@rioattorneys.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address  
is changed)2. DATE M M / D D / Y Y Y Y  
09 30 2010

3. FEC IDENTIFICATION NUMBER

C C00458083

4. IS THIS STATEMENT X NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete

Type or Print Name of Treasurer Elliot Richardson

Signature of Treasurer Electronically Filed by Elliot Richardson

Date M M / D D / Y Y Y Y  
10 15 2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS

Office  
Use  
OnlyFor further information contact:  
Federal Election Commission  
Toll Free 800-424-9530  
Local 202-694-1100**FEC FORM 1**  
(Revised 02/2009)

11092653029

Write or Type Committee Name

Friends of Elliot Richardson

## 6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

NONE

Mailing Address

CITY ▲

STATE ▲

ZIP CODE ▲

Relationship:

Connected Organization

Affiliated Committee

Joint Fundraising Representative

Leadership PAC Sponsor

## 7. Custodian of Records: Identify by name, address, (phone number -- optional), and position of the person in possession of Committee books and records.

Full Name

Mailing Address

Title or Position ▼

CITY ▲

STATE ▲

ZIP CODE ▲

Telephone number

## 8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name  
of Treasurer

Sherri N Richardson

Mailing Address

39 St Charles Place

Highland Park

IL

60035 -

Title or Position ▼

CITY ▲

STATE ▲

ZIP CODE ▲

Treasurer

Telephone number

847

- 433

- 1588

11092653030



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

November 22, 2010

Michael C. Dorf  
Adducci, Dorf, Lehner, Mitchell & Blankenship, P.C.  
150 North Michigan Avenue, Suite 2130  
Chicago, IL 60601-7524

C00458083  
AF# 2152

Dear Mr. Dorf:

On August 10, 2010, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Friends of Elliot Richardson and Francee Nachbar, in her official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file 48-Hour Notices for 3 candidate loans totaling \$57,000 for the 2010 Illinois Primary Election. The Commission also made a preliminary determination that the civil money penalty was \$6,030 based on the schedule of penalties at 11 C.F.R. § 111.44.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Dayna C. Brown  
Reviewing Officer  
Office of Administrative Review

Attachment

11092653031



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2010 DEC 15 A 11: 24

December 15, 2010

MEMORANDUM

**SENSITIVE**

To: The Commission

Through: Alec Palmer  
Acting Staff Director *AP*

From: Patricia Carmena *PC*  
Chief Compliance Officer

Dayna C. Brown *DCB*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2152 – Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer (C00458083)

On August 10, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file 48-Hour Notices for 3 candidate loans totaling \$57,000. The Commission also made a preliminary determination that the civil money penalty was \$6,030 based on the schedule of penalties at 11 C.F.R. § 111.44.

On September 20, 2010, the Commission received their written response ("challenge") from Counsel. After reviewing the challenge, the Reviewing Officer's recommendation dated November 19, 2010 was forwarded to the Commission, a copy was forwarded to the respondents' Counsel, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$6,030 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file the 48-Hour Notices on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in the respondents' challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

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### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 2152 involving Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2152 that Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$6,030; and
- (3) Send the appropriate letter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Final Determination Recommendation – ) AF 2152  
Friends of Elliot Richardson and Sherri )  
N. Richardson, in her official capacity as )  
Treasurer (C00458083) )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on January 28, 2011, the Commission decided by a vote of 6-0 to take the following actions in AF 2152:

1. Adopt the Reviewing Officer recommendation for AF 2152 involving Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF 2152 that Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$6,030.
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

January 28, 2011  
(Date)

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 4, 2011

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Michael C. Dorf  
Adducci, Dorf, Lehner, Mitchell & Blankenship, P.C.  
150 North Michigan Avenue, Suite 2130  
Chicago, IL 60601-7524

C00458083  
AF# 2152

Dear Mr. Dorf:

On August 10, 2010, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Friends of Elliot Richardson and Francee Nachbar, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to file 48-Hour Notices for three (3) candidate loans totaling \$57,000 received between January 14 and January 30, 2010. By letter dated August 17, 2010, the Commission sent your clients notification of the RTB finding that included a civil money penalty calculated at RTB of \$6,030 in accordance with the schedule of penalties at 11 C.F.R. § 111.44. On September 20, 2010, the Office of Administrative Review received your written response challenging the RTB civil money penalty.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$6,030 in accordance with 11 C.F.R. § 111.44. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on November 22, 2010.

On January 28, 2010, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Friends of Elliot Richardson and Sherri N. Richardson, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$6,030. A copy of the final determination recommendation is attached.

**If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of

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the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g, 11 C.F.R. § 111.38.

### **If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

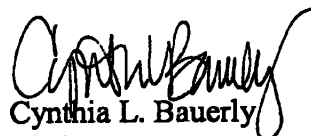
### **If You Choose To Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

On behalf of the Commission,

  
Cynthia L. Bauerly  
Chair

Attachment

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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.44, the civil money penalty is \$6,030 for 2010 48-Hour Notices.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
PO Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC # 979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Friends of Elliot Richardson

FEC ID#: C00458083

AF#: 2152

PAYMENT AMOUNT DUE: \$6,030

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FOR: Friends of Elliot Richardson

FEC ID#: C00458083

AF#: 2152

PAYMENT AMOUNT DUE: \$6,030

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QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 002 \$ 0000603000 BA# 1 03-11-11 20 3



David L. Freidberg 04-05 Francee Nachbar [REDACTED]	ASPCA WE ARE DOING GOOD 730 2-1/710 3-5 2010	
Pay to the Order of	Federal Election Commission	\$16030.00
Six thousand thirty dollars and 00/100		Dollars
JPMorgan Chase Bank, N.A. Chicago, Illinois 60670		
AF #2152 For C00458083 Committee #		[Signature]



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2152

DATE SCANNED

4/24/11

SCANNER NO.

2

SCAN OPERATOR

EE5

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